



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark D. Scott et al. Examiner: R. Hayes  
Serial No. 09/323,765 Group Art Unit: 1647  
Filed: June 1, 1999 Docket No. 259.006US1  
Title: ANTIGENIC MODULATION OF CELLS

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**COMMUNICATION RE: Response to Restriction Requirement**

TO:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir or Madam:

This letter is in response to the Restriction Requirement mailed on 13 September, 2000.

**COMMENTS**

Applicants hereby elect claims 1-31, with traverse, for examination on the merits.

**TRAVERSAL**

The basis of the traversal is that the compositions of claims 1-31 are not able to be used in any process other than that of claims 32-54. The attachment of groups in method claims 23-31 and the cell composition of claims 1-22 produced by that method are inseparable from the method of use of claims 32-54. Additionally, the method of use of claims 32-54 are incapable of using materials other than those of claims 1-22 and those materials cannot be made by processes other than those of claims 23-31.

The technologies represented by these artificially created groups of claims are neither separate nor distinct. They are intimately interrelated and coextensive in their search.

The restriction requirement should be withdrawn and all claims examined and allowed.

Respectfully submitted,

MARK D. SCOTT et al.

By their Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.  
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Date: 13 October 2000

By: Mark A. Litman  
Mark A. Litman  
Reg. No. 26,390

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Office of Petitions, Washington, D.C. 20231, on this 12th day of October, 2000.

Name Mark A. Litman

Mark A. Litman  
Signature

GP-1647



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Contents herewith:

- ☒ Communication Re: Response to Restriction Requirement
- ☒ Revocation and Power of Attorney
- ☒ Change of Correspondence Address
- ☒ Transmittal Sheet
- ☒ Return postcard

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By:   
Atty: Mark A. Litman  
Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 12, 2000.

Mark A. Litman  
Name

  
Signature